

REMARKS

[01] Editorial changes have been made to Claims 12 and 14. No new matter has been added.

[02] The most-recent office action rejects all pending claims on the grounds of anticipation by U.S. Patent No. 6,397,212 to Biffar, "Biffar" herein. The rejections are traversed below on a claim-by-claim basis.

[03] Claim 1

[04] The invention relates to a method of prioritizing multiple items returned in response to a database query. For example, if a database query returns 100 items, the invention calls for presenting them in an order according to certain criteria. Note that, if only one item is returned, there is nothing to prioritize since there is only one possible order of presentation. This is the case with Biffar. Biffar only discloses searches in which a single item is returned; there is no problem or possibility of prioritizing one item. Since Biffar does not disclose prioritizing returned items, Biffar does not anticipate the invention as claimed in Claim 1.

[05] The Office Action cites three portions of Biffar to support the rejection of Claim 1. The first portion is Biffar's abstract. The abstract states that the search engine combines user profiles and patterns of similar users, but does not state what the combined user profiles are used for. The abstract certainly does not disclose using the combined user profiles for prioritizing items returned in response to a database query as required by Claim 1.

[06] The rejection of Claim 1 also refers to Fig. 8, which is simply a display of a single item returned in response to a database query. It shows nothing about prioritizing items, nothing about a user community, and nothing about similar requests being used to prioritize items.

[07] The rejection also refers to Col. 1, lines 39-45. Note that the cited passage is in the background section of Biffar and does not relate to the embodiment described in the abstract or in Fig. 8. This background art does disclose returning multiple items in response to a database query, but does not prioritize them as called for in Claim 1.

[08] Claim 2

[09] Claim 2 requires a step of assigning a user to a community. The Office Action purports to find this limitation in several places in Biffar. Biffar's abstract discloses the generation of user profiles, but does not disclose assigning a user to a community as required by Claim 2. The Office Action recites Col. 7, lines 49-61. This passage discusses how Biffar's search engine learns about a user and combines profiles of different users. However, there is no mention of assigning a user to a community. The Office Action also recites Col. 2, line 56-Col. 3, line 14. This is a background discussion on how a human salesman might operate, not a disclosure of how Biffar's embodiment operates. There is no discussion of assigning a user to a community and no prioritization of items returned in response to a query.

[10] Claim 2 also requires assignment of a search request to a search query. The Office Action purports to find this limitation in Biffar's Figs. 3 and 4. However, these figures do not depict the assignment of a search request to a search query. Instead, these figures appear to show a form that forces a user query into a predefined format so that no separate step of assigning a search request to a search query is required as called for by Claim 2.

[11] Claim 2 also requires submission of a query so as to yield a set of response items. The Office Action purports to find this limitation in the abstract and in Col. 7, line 62 to Col. 8 line 7. However, this limitation does not appear in either of these passages.

[12] Finally, Claim 2 requires prioritization according to prior search requests by a community. As noted above, Biffar does not disclose prioritization of returned items, and does not disclose a community. The Office Action purports to find this limitation at Biffar, Col. 11, lines 41-45. This passage discloses an algorithm for selecting a single response item, but not prioritizing multiple response items. While the word "priority" is used, it relates to characteristics, not to returned items.

[13] Claim 3

[14] Claim 3 requires tracking and storing of indications of user interest. The Office Action purports to find this limitation disclosed at Col. 11, line 62 to Col. 12, line 10. This cited passage describes some user actions, but does not disclose that they are tracked and stored.

[15] Claim 4

[16] Claim 4 requires the use of the results defined in Claim 3 in subsequent searches by other users assigned to the same community. Since Biffar does not disclose assigning users to a community, this limitation cannot be disclosed by Biffar. Nonetheless, the Office Action purports to find this limitation disclosed at Biffar, Col. 11, lines 54-62. However, this section refers solely to a single user--no mention is made of how the results for one user might affect the results for another user.

[17] Claim 5

[18] Claim 5 requires priority be given to a child community over a parent community. The Office Action purports to find this limitation met at Biffar, Col. 4, lines 28-67. Most of this section relates solely to an Item database, and has nothing to do with user communities. Col. 4, lines 65-66 do mention user specific item descriptors, but these do not relate to assigning a user to a community or to prioritizing responses.

[19] Claim 6

[20] Claim 6 requires assigning a user to a community as a function of indications of interest. The Office Action purports to find this limitation met at Biffar, Col. 5, lines 4-9. This passage does relate to database hierarchies, but these are of item characteristics, not user communities.

[21] Claim 7

[22] Claim 7 requires community assignment by user selection. The Office Action purports to find this limitation met at Biffar, Col. 3, lines 25-35. This section parallels the abstract and characterizes the search engine as “self personalizing”. There is nothing in this passage that discloses a user selecting a community.

[23] Claim 8

[24] Claim 8 requires a user be assigned to a community based on a pre-existing user profile. The Office Action purports to find this limitation met at Biffar, Col., 4, lines 28-65. As discussed above with respect to Claim 5, this section describes the item database, not a search engine or method. There is nothing in this section that relates to assigning a user to a community.

[25] Claim 9

[26] Claim 9 requires, among other elements, a community assigner and the prioritizer, neither of which has counterparts in Biffar. The Office Action does not identify where Biffar discloses the limitations of Claim 9. However, it is clear that Biffer does not disclose the community assigner or the prioritizer.

[27] Claim 10

[28] Claim 10 requires a tracker for tracking indications of user interest to be used by a prioritizer. The Office Action purports to find this limitation at Biffar, Col. 7, lines 54-61. This passage appears to disclose user interest tracking used to develop a user profile, but does not disclose using the results to prioritize items returned in response to a search query.

[29] Claim 11

[30] Claim 11 requires a user be assigned to a community as a function of indications of interest. The Office Action purports to find this limitation at Biffar, Col. 8, lines 35-56. However, this passage does not mention assigning a user to a community nor does it mention indications of interest.

[31] Claim 12

[32] Claim 12 specifies four database fields: hit counts, hit-count values, query contexts, and a user and/or community field. The Office Action purports to find these limitations met by Biffar Fig. 5. However, none of the four claimed fields are illustrated in Fig. 5.

[33] Claim 13

[34] Claim 13 requires a decay field for indicating times associated with hit counts. The Office Action asserts that this limitation is addressed in the rejection of one of the preceding claims. However, none of the preceding claims have a limitation analogous to this decay limitation. Accordingly, there is no basis for the rejection of Claim 13.


[35] Claim 14

[36] Claim 14 requires a periodic update to community record counts. The Office Action asserts that this limitation is addressed in the context of the rejections of preceding claims. However, this limitation has no analog in the preceding claims. Hence, there is no valid rejection of Claim 14.

[37] CONCLUSION

[38] All the claims require prioritization of items returned in response to a database query. Since the only cited reference discloses only single-item returns, there is no possibility of the required prioritization. All Claims but the first require assignment of a user to a community, where as no community assignment is disclosed by the cited reference. In general, passages cited as discloses other claim elements do not. Accordingly, it is respectfully submitted that all claims are allowable over the art of record so that allowance and passage to issue are respectfully requested.

Respectfully submitted



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